



# Agenda

Finance Committee Meeting  
November 5, 2007 – 5:15 pm  
City Council Chambers

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES:

OCTOBER 15, 2007

CITY CLERK'S OFFICE

DATE 11-2-07 TIME 1:20

SERVED BY Yolanda Green

RECEIVED BY [Signature]

## INFORMATIONAL AGENDA:

6. UPDATE ON "THE SAFE RIDE FOR WOMEN PROGRAM" (SEVASTIAN GURULE)
7. REPORT ON HUMAN RESOURCES HIRING PROCESS (KRISTINE KUEBLI) (Postponed at Finance Committee meeting of October 15, 2007)
8. FINAL REPORT ON DESIGN WEEK 2007 (KATHY MCCORMICK)

## CONSENT AGENDA:

9. BID OPENINGS:
  - A. BID NO. 08/03/B – RAILROAD OFFSITE IMPROVEMENTS PROJECT AND CONSTRUCTION AGREEMENT; A.S. HORNER, INC. (ERIC MARTINEZ)
    1. REQUEST FOR APPROVAL OF BUDGET INCREASE – DEVELOPMENT IMPACT FEES
  - B. BID NO. 08/10/B – SANTA FE MUNICIPAL AIRPORT FENCING AND CONSTRUCTION CONTRACT; APACHE CONSTRUCTION CO., INC. D/B/A VALLEY FENCE COMPANY (MARY MACDONALD)
    1. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – PROJECT FUND
  - C. BID. NO. 08/11/B – TWO (2) HEAVY DUTY VARIABLE FREQUENCY DRIVES FOR WASTEWATER MANAGEMENT DIVISION; ALPHA SOUTHWEST, INC. (LUIS OROZCO)
10. REQUEST FOR APPROVAL OF PROCUREMENT FOR ADDITIONAL ORDER OF REFUSE BAGS FOR SOLID WASTE MANAGEMENT DIVISION (UNDER BID NO. 04/57/B); RESOURCEFUL BAG AND TAG (ROBERT RODARTE)



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12. REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING – ARTWORKS PROGRAM IN SANTA FE PUBLIC ELEMENTARY SCHOOLS; SANTA FE PUBLIC SCHOOLS (SABRINA PRATT)
13. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT – FOUR (4) JOHN DEERE ENGINES FOR TRANSIT DIVISION; JOHN DEERE (KEN SMITHSON)
  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – TRANSIT ENTERPRISE FUND/CIP REALLOCATION FUND
14. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – TARGETED COMMUNITY ACTION PLAN PROGRAM SERVICES; MARY LOUISE ROMERO (RICHARD DEMELLA)
15. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – TARGETED COMMUNITY ACTION PLAN SERVICES; YOUTHWORKS (RICHARD DEMELLA)
16. REQUEST FOR APPROVAL OF AGREEMENT – JUVENILE DETENTION SERVICES FOR JUVENILE OFFENDERS; STATE OF NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT (RICHARD DEMELLA)
  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE FROM GRANT REVENUES – GRANT FUND
17. REQUEST FOR APPROVAL OF LEASE AGREEMENTS:
  - A. AIRLINE TERMINAL BUILDING OFFICE; COUNTER AND FLOOR SPACE AT SANTA FE MUNICIPAL AIRPORT; AMERICAN EAGLE AIRLINES (JIM MONTMAN)
  - B. AIRLINE TERMINAL BUILDING COUNTER AND FLOOR SPACE AT SANTA FE MUNICIPAL AIRPORT; DELTA AIR LINES (JIM MONTMAN)
18. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND PROFESSIONAL SERVICES AGREEMENT – MANAGE AFFORDABLE HOUSING ROUNDTABLE; THE ENTERPRISE FOUNDATION, INC. (KATHY MCCORMICK)
19. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – FURNITURE AND WORK STATIONS FOR COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT; CREATIVE INTERIORS, INC. (KATHY MCCORMICK)



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21. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007 AN ORDINANCE AMENDING CHAPTER 7 REGARDING BUILDING AND RELATED CODES; ADOPTING THE 2006 INTERNATIONAL BUILDING CODE, THE 2007 INTERNATIONAL RESIDENTIAL BUILDING CODE, THE 2006 INTERNATIONAL EXISTING BUILDING CODE, THE 2006 UNIFORM MECHANICAL CODE, THE 2006 UNIFORM PLUMBING CODE, THE 2008 NATIONAL ELECTRIC CODE AND OTHER RELATED CODES AS AMENDED BY THE STATE OF NEW MEXICO AND CITY OF SANTA FE (COUNCILORS CALVERT, WURZBURGER AND BUSHEE) (JACK HIATT)
  - A. REQUEST FOR APPROVAL OF A RESOLUTION READOPTING FEE SCHEDULES FOR BUILDING PERMITS, ELECTRICAL PERMITS, MECHANICAL/GAS/PLUMBING PERMITS, SEWER AND SIGN PERMITS (COUNCILORS CALVERT AND WURZBURGER) (JACK HIATT)
  - B. REQUEST FOR APPROVAL OF BUDGET INCREASE – GENERAL FUND
22. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 27 OF CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING GUADALUPE STREET AND PASEO DE PERALTA AS ELIGIBLE PROJECTS TO RECEIVE ARTERIAL IMPACT FEES (FRANK ROMERO)
23. REQUEST FOR APPROVAL OF GRANT AWARD – HAZARDOUS MATERIALS FOR FIRE DEPARTMENT; STATE FIRE MARSHAL'S OFFICE (FIRE CHIEF CHRIS RIVERA)
  - A. REQUEST FOR APPROVAL OF INCREASE FROM GRANT REVENUES – GRANT FUND
24. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007 AN ORDINANCE AMENDING SECTION 24-1.1 SFCC 1987 REGARDING THE CITY OF SANTA FE UNIFORM TRAFFIC CODE; AND AMENDING VARIOUS SECTIONS OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE (COUNCILORS HELDMEYER AND BUSHEE) (POLICE CHIEF ERIC JOHNSON)
25. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007 AN ORDINANCE AMENDING ARTICLE 23-5 SFCC 1987 REGARDING PLAZA VENDORS; REQUIREMENTS; SELECTION PROCESS; CONDITIONS OF OPERATIONS (COUNCILOR CHAVEZ) (SEVASTIAN GURULE)
  - A. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING AN APPLICATION FEE FOR ARTISTS/ARTISANS WHO APPLY FOR A LICENSE UNDER THE SANTA FE PLAZA PARK ARTIST/ARTISAN PROGRAM (COUNCILOR CHAVEZ) (SEVASTIAN GURULE)



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26. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007 AN ORDINANCE AMENDING ARTICLE 23-5.2 SFCC 1987 TO INCLUDE "PRIDE ON THE PLAZA" AS AN ADDITIONAL PERMITTED ANNUAL MAJOR COMMERCIAL EVENT ON THE PLAZA (COUNCILOR BUSHEE) (SEVASTIAN GURULE)
27. REQUEST FOR APPROVAL OF DONATION TO POLICE DEPARTMENT – FAITH SUMMIT ON DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING; THE CATHEDRAL BASILICA OF ST. FRANCIS OF ASSISI (POLICE CHIEF ERIC JOHNSON)
  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GENERAL FUND POLICE

## DISCUSSION:

28. REQUEST FOR APPROVAL OF AGREEMENT – SANTA FE FIREFIGHTERS ASSOCIATION; INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (ASSISTANT FIRE CHIEF RANDY NEUMANN)
29. INFORMATION REGARDING MANAGEMENT AND CONFIDENTIAL EMPLOYEE PAY INCREASES (KRISTINE KUEBLI)
  - A. REQUEST FOR APPROVAL OF COST OF LIVING INCREASE FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES
30. REQUEST FOR APPROVAL OF A JOINT RESOLUTION REPEALING CITY OF SANTA FE RESOLUTION NO. 2007-71 AND SANTA FE SCHOOL BOARD OF EDUCATION RESOLUTION NO. 090-407; AND ADOPTING A NEW RESOLUTION DIRECTING CITY AND PUBLIC SCHOOL STAFF TO PREPARE RECOMMENDATIONS FOR THE GOVERNING BODY AND THE BOARD OF EDUCATION REGARDING HOUSING ON SCHOOL PROPERTY FOR POLICE OFFICERS; AND DIRECTING STAFF TO EXAMINE AND MAKE RECOMMENDATIONS FOR THE PLACEMENT OF A POLICE OFFICER ON EACH OF OUR HIGH SCHOOL CAMPUSES (COUNCILOR DOMINGUEZ AND TRUJILLO) (KATHY MCCORMICK AND POLICE CHIEF ERIC JOHNSON) (Postponed at Finance Committee meeting of October 15, 2007)
31. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PLAN, DESIGN AND IMPROVE LAND AND FACILITIES LOCATED ADJACENT TO PROPOSED TRAIN STOPS WITHIN THE CITY OF SANTA FE; ATKIN, OLSHIN, SCHADE ARCHITECTS (RFP NO. 07/50/P) (KATHERINE MORTIMER) (Postponed at Finance Committee meeting of October 1, 2007 and October 15, 2007)
32. REQUEST FOR APPROVAL OF A RESOLUTION RESCINDING RESOLUTION 2003-70 AND REQUIRING THE STATE OF NEW MEXICO TO ANSWER, ADDRESS AND MITIGATE CERTAIN ISSUES INVOLVING THE "RAILRUNNER" COMMUTER RAIL PROJECT (COUNCILORS ORTIZ AND HELDMEYER) (JON BULTHUIS)



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33. REQUEST FOR APPROVAL OF LOGO FOR THE NEW SANTA FE GOVERNMENT (SFG) CHANNEL (SEVASTIAN GURULE)
34. REQUEST FOR APPROVAL OF DONATION FOR MESSAGING SIGN CENTER AT GCCC; LOS ALAMOS NATIONAL BANK (LIZ ROYBAL)
35. REQUEST FOR APPROVAL OF THE MAYOR'S BLUE RIBBON TASK FORCE PLAN TO END HOMELESSNESS IN SANTA FE (KATHY MCCORMICK)
36. OTHER FINANCIAL INFORMATION
37. MATTERS FROM THE COMMITTEE
38. ADJOURNMENT

Interpreter for hearing impaired is available through City Clerk's Office upon 5 days notice.

**SUMMARY OF ACTION  
FINANCE COMMITTEE MEETING  
Monday, November 5, 2007**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
CONSENT AGENDA LISTING		2-4
APPROVAL OF MINUTES: OCTOBER 15, 2007	Approved	4
<u>INFORMATION AGENDA</u>		
UPDATE ON THE "SAFE RIDE FOR WOMEN PROGRAM."	Information/discussion	4-5
REPORT ON HUMAN RESOURCES HIRING PROCESS	Information/discussion	5-7
FINAL REPORT ON DESIGN WEEK 2007	Postponed to 12/03/07	7
<u>CONSENT CALENDAR DISCUSSION</u>		
REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT - FURNITURE AND WORK STATIONS FOR COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT; CREATIVE INTERIORS, INC.	Approved	7-8
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007, AN ORDINANCE AMENDING ARTICLE 23-5.2 SFCC 1987, TO INCLUDE "PRIDE ON THE PLAZA" AS AN ADDITIONAL PERMITTED ANNUAL MAJOR COMMERCIAL EVENT ON THE PLAZA	Approved [condition]	8-9
*****		
END OF CONSENT CALENDAR DISCUSSION		
*****		

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
<u>DISCUSSION</u>		
REQUEST FOR APPROVAL OF AGREEMENT – SANTA FE FIREFIGHTERS ASSOCIATION; INTERNATIONAL ASSOCIATION OF FIREFIGHTERS	Approved	9-11
REQUEST FOR APPROVAL OF A JOINT RESOLUTION REPEALING CITY OF SANTA FE RESOLUTION NO. 2007-71 AND SANTA FE SCHOOL BOARD OF EDUCATION RESOLUTION NO. 090-407; AND ADOPTING A NEW RESOLUTION DIRECTING CITY AND PUBLIC SCHOOL STAFF TO PREPARE RECOMMENDATIONS FOR THE GOVERNING BODY AND THE BOARD OF EDUCATION REGARDING HOUSING ON SCHOOL PROPERTY FOR POLICE OFFICERS; AND DIRECTING STAFF TO EXAMINE AND MAKE RECOMMENDATIONS FOR THE PLACEMENT OF A POLICE OFFICER ON EACH OF OUR HIGH SCHOOL CAMPUSES	Postponed to 11/19/07	11-14
REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PLAN, DESIGN AND IMPROVE LAND AND FACILITIES LOCATED ADJACENT TO PROPOSED TRAIN STOPS WITHIN THE CITY OF SANTA FE; ATKIN, OLSHIN, SCHADE ARCHITECTS (RFP NO. 07/50/P)	Postponed to 11/19/07	14-18
REQUEST FOR APPROVAL OF A RESOLUTION RESCINDING RESOLUTION 2003-70 AND REQUIRING THE STATE OF NEW MEXICO TO ANSWER, ADDRESS AND MITIGATE CERTAIN ISSUES INVOLVING THE “RAILRUNNER” COMMUTER RAIL PROJECT	Approved [amended]	18-21
REQUEST FOR APPROVAL OF LOGO FOR THE NEW SANTA FE GOVERNMENT (SFG) CHANNEL	Direction to staff	21
REQUEST FOR APPROVAL OF DONATION FOR MESSAGING SIGN CENTER AT GCCC; LOS ALAMOS NATIONAL BANK	Approved	21-22

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
REQUEST FOR APPROVAL OF THE MAYOR'S BLUE RIBBON TASK FORCE PLAN TO END HOMELESSNESS IN SANTA FE	Direction to staff	22-28
INFORMATION REGARDING MANAGEMENT AND CONFIDENTIAL EMPLOYEE PAY INCREASES REQUEST FOR APPROVAL OF COST OF LIVING INCREASE FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES	Postponed to mid-year budget	28-32
OTHER FINANCIAL INFORMATION	Information/discussion	32-33
MATTERS FROM THE COMMITTEE	None	33
ADJOURNMENT		33



**MINUTES OF THE  
CITY OF SANTA FE  
FINANCE COMMITTEE**  
Monday, November 5, 2007

**1. CALL TO ORDER**

A meeting of the Finance Committee was called to order by Chair Karen Heldmeyer, at 5:15 p.m., on Monday, November 5, 2007, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Karen Heldmeyer, Chair  
Councilor Christopher Calvert  
Councilor Carmichael Dominguez  
Councilor Matthew Ortiz

**MEMBERS EXCUSED**

Councilor Rebecca Wurzbarger

**OTHERS ATTENDING:**

Kathryn Raveling, Finance Director  
Yolanda Green, Finance Division  
Melessia Helberg, Stenographer.

There was a quorum of the membership in attendance for the conducting of official business.

**NOTE: All items in the Committee packets for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Finance Department.**

**3. APPROVAL OF AGENDA**

Ms. Raveling said it is requested to postpone Item #21 pending additional information.

Chair Heldmeyer said Item #29 will be moved after Item #35.

**MOTION:** Councilor Calvert moved, seconded by Councilor Dominguez, to approve the Agenda as amended.

VOTE: The motion was approved unanimously on a voice vote. .

#### **4. APPROVAL OF CONSENT AGENDA**

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz, to approve the following Consent Agenda as amended.

VOTE: The motion was approved unanimously on a voice vote.

#### **CONSENT AGENDA**

##### **9. BID OPENINGS:**

- A. BID NO. 08/03/B – RAILROAD OFF SITE IMPROVEMENTS PROJECT AND CONSTRUCTION AGREEMENT; A.S. HORNER, INC. (ERIC MARTINEZ)
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  - B. AIRLINE TERMINAL BUILDING COUNTER AND FLOOR SPACE AT SANTA FE MUNICIPAL AIRPORT; DELTA AIR LINES. (JIM MONTMAN)
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19. *[Removed for discussion by Councilor Calvert]*
20. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO PREPARE A REPORT TO THE GOVERNING BODY PROPOSING SOLUTIONS TO THE CONTINUED PRACTICE OF IMPROPER DISPOSAL OF USED MOTOR OIL AND ANTIFREEZE (COUNCILOR TRUJILLO). (JIM SALAZAR)
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  - B. REQUEST FOR APPROVAL OF BUDGET INCREASE – GENERAL FUND.  
*[This item was removed from the agenda for additional information]*

22. REQUEST FOR APPROVAL OF A RESOLUTION AMENDING TABLE 27 OF CITY OF SANTA FE IMPACT FEES CAPITAL IMPROVEMENTS PLAN, REGARDING PLANNED MAJOR ROAD IMPROVEMENTS AND ADDING GUADALUPE STREET AND PASEO DE PERALTA AS ELIGIBLE PROJECTS TO RECEIVE ARTERIAL IMPACT FEES. (FRANK ROMERO)
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  - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – GENERAL FUND POLICE.

5. APPROVAL OF MINUTES: OCTOBER 15, 2007

MOTION: Councilor Dominguez moved, seconded by Councilor Calvert, to approve the minutes of the meeting of October 15, 2007, as presented.

VOTE: The motion was approved unanimously on a voice vote. Ortiz absent.

**INFORMATION AGENDA**

6. UPDATE ON THE "SAFE RIDE FOR WOMEN PROGRAM." (SEVESTIAN GURULE)

Sevestian Gurule presented information regarding this matter to the Committee, saying that the Safe Ride for Women Program contract was terminated as of 7:00 a.m. today. Additional information was requested at the last Finance Committee meeting, particularly identifying the breakdown of times and transports per caller. He noted a copy of this information is in the packet, and reviewed this information.

Chair Heldmeyer asked, since the County program is still active, if he asked the County to give feedback if they are being contacted by people for needs which aren't filled with its program, and perhaps to have the City and the County work together if that seems to be a problem.

Mr. Gurule said he spoke with Becky, and she is asking their program to include this question for their rides to obtain this information, and she believes we can work together with the City if the need presents itself.

Chair Heldmeyer thanked Sev and staff for putting this program together quickly, and Kathryn for funding the funds for the program. She hopes this won't be necessary in the future.

**7. REPORT ON HUMAN RESOURCES HIRING PROCESS. (KRISTINE KUEBLI)** (Postponed at Finance Committee meeting of October 15, 2007)

Councilor Calvert said he appreciates the information from Ms. Kuebli. However, it doesn't answer his question, which is the reason for the delay in processing applications once the person has been hired by the City. He said he had heard that this is a problem from numerous departments.

Ms. Kuebli said about 95% of the positions, absent Police and Fire, are AFSCME positions. There is a difference between internal and external recruitment. She explained the process for Internal recruitment from selection to reporting to work. She said it is sometimes difficult to get information back with regard to checking references, which can take from one day to two weeks, and sometimes longer. It then goes to the division director, the department director, and then to Human Resources. The HR works with the Finance Department to ensure it is appropriately budgeted and the salary is appropriate. She said she then signs it, and it then goes to the City manager for signature, which could be a point of delay, noting many people walk these through. If it is an external recruitment, there are roadblocks, such as the person might reject the salary in the offer of appointment. The second roadblock could be the time needed for the new hire to give notice to a previous employer which could take 2-3 weeks. Another step in the hiring process is, once everyone has signed, the individual must go for a pre-employment physical which is scheduled by H.R. staff, and could take some time because it depends on the person's schedule. There also is a drug testing protocol for certain positions which can take up to three days to get results.

Ms. Kuebli said it would be helpful to know the specific area of concern so she can know the roadblock.

Chair Heldmeyer said the Committee isn't supposed to be involved in the day-to-day process of recruitment and hiring, and asking them where the roadblocks are probably won't produce a lot of useful information. She said they hear in general that there are roadblocks. So, the question is whether Ms.

Kuebli has gone to the departments to look for roadblocks. She thought we were going to computerized personnel action forms so things don't have to be walked through various departments, and asked when that will be available.

Ms. Kuebli said she is still waiting, and it will change things drastically for the City, especially in the role of Human Resources and Finance. That is down the road, and she looks forward to that. She has been told it could take another year for full implementation. She said recruitment is a strategic plan in her department, and they are going through strategic planning sessions currently, and there will be a request to department heads to ask where the roadblocks are and to help her understand the delay. She is interested in solving the problem. She can report back in two months with more information about successes she has had.

Councilor Calvert asked if reference checks are necessary for internal recruitment.

Ms. Kuebli said no, although the directors can call the supervisors. The only internal roadblock is the courtesy to give notice to the other supervisor. She said many people walk the PA's through, with a 1½ day turnaround time. She said her employees tell her that the holdup is sometimes at the division or the department head level.

Councilor Calvert said he isn't pointing fingers, but he is trying to expedite matters because things aren't getting done because a position isn't being filled as expeditiously as we would like. He would like to accelerate this process, and perhaps have good communication between HR and the division and department directors with regard to things they could do to expedite the processing of new hires.

Chair Heldmeyer said the issue of references is tricky because many places will give only basic information, such as when they worked. She asked, if this is all they are going to get, if HR spends a lot of time trying to get more.

Ms. Kuebli said sometimes the challenge is getting people to return a telephone call. However, it is something which is required by the Personnel Rules, and until those are changed, she will have to uphold those as part of the process. She said it requires two references at a minimum. She said it may seem archaic, but the requirement still exists under the Rules.

Responding to the Chair, Ms. Kuebli said there is a criminal records check requirement for certain departments, such as those departments in public safety, for those who work with children at the recreation center and anybody working with children. She said she is in the process of expanding this, because the federal government may require the City to expand this to the Transit Division because of the federal dollars the City receives. She said staff is doing a lot of research around a criminal records check. Ms. Kuebli said they are working to identify which positions work with children. She said those who work with Seniors is another required area for a criminal records check.

Chair Heldmeyer said she is hearing it takes a long period of time, and she is trying to determine what is taking so long. She asked if we lose people who just give up on the process.

Ms. Kuebli said she is unaware that people have left or pulled out from consideration because of the time of processing. However, she is now aware of the concerns and she is committed to going back to the department heads as part of the strategic plan. She would very much like to come back to this Committee and report on her success. She said this is a commitment which has to go both ways – where we can streamline the process, eliminate steps and still preserve good hires.

Councilor Calvert wants to know where the process is broken – steps or procedures not being followed.

**8. FINAL REPORT ON DESIGN WEEK 2007. (KATHY McCORMICK)**

Ms. McCormick said she received the initial draft Report on Friday afternoon, and reviewed it over the weekend, and she still has more questions. She said she would prefer to provide a final report when all of those questions have been answered. She noted she will be out of town for the next meeting, and Melissa Collett had a baby and won't be back until the end of November. She requested to present this to the Committee at its meeting on December 3, 2007.

Chair Heldmeyer asked if she will have the final financial report by that time.

Ms. McCormick said yes, commenting she expects the last invoice to be submitted not later than early next week and a final accounting can be done by that time.

It was the consensus among the Committee to postpone this item to December 3, 2007.

**CONSENT CALENDAR DISCUSSION**

**19. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – FURNITURE AND WORK STATIONS FOR COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT; CREATIVE INTERIORS, INC. (KATHY McCORMICK)**

Councilor Calvert noted that there is not a full staff at Economic Development, and we are just shifting people around. He asked if the furniture can be moved with those people, and asked the need for the new furniture, and asked what happened to the old furniture.

Ms. McCormick said this request is for funds to purchase acoustic walls which are taller, so people will have a better work space, noting they will continue to use all of the other modular units. It will also provide staff with new chairs. She said the walls and chairs are more than ten years old, and not very ergonomic. She said this is a request to refit, using existing furniture.

Ms. McCormick said, with regard to not being to the full complement in Economic Development, she is recruiting the Planner position – Economic Development Specialist – which closed last Friday. The announcement for other two positions, the Division Director and Special Projects Administrator, will close

next Friday. There has been a lot of interest in these positions, and she intends to be fully staffed by January 1, 2008.

Ms. McCormick said, with regard to furniture from other places, that furniture has remained, for example, the furniture which was at the bank building is now being used by Community Services which moved to that facility. She said they have been very careful about this.

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz, to approve this request.

DISCUSSION: Chair Heldmeyer pointed out that the furniture at the bank was chosen specifically by the former City Manager because it was felt that it was "furniture that was conducive to the look of economic development." However, none of it looks like Santa Fe.

Ms. McCormick said she is interested in function, not looks.

VOTE: The motion was approved unanimously on a voice vote.

**26. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON DECEMBER 12, 2007, AN ORDINANCE AMENDING ARTICLE 23-5.2 SFCC 1987, TO INCLUDE "PRIDE ON THE PLAZA" AS AN ADDITIONAL PERMITTED ANNUAL MAJOR COMMERCIAL EVENT ON THE PLAZA (COUNCILOR BUSHEE). (SEVESTIAN GURULE)**

Councilor Calvert said he has no problem with this concept, but he has heard from the downtown business owners about this being another street market or something which would be in competition with the other major events. He said the person with whom he spoke who is an advocate for this, has assured him that this wouldn't be the case for this event. He asked that individual to provide some guidelines for the event, so we would have a better idea about what would or would not be included with this event. He wants these guidelines by the time this goes to Council so we have reassurances that it won't be raising the ire of some of the downtown merchants. He said although this isn't the only consideration, there is no use in "poking the hornet's nest" if it isn't necessary.

MOTION: Councilor Calvert moved, seconded by Councilor Dominguez, to approve this request with the proviso that the organizers must provide the guidelines for this event by the time this goes to Council.

DISCUSSION: Chair Heldmeyer noted we worked on this several years ago. There are some events which clearly are events which are arts & crafts fairs, and 1-2 events which are seen as something different, in particular, the Pancake Breakfast. It was seen as a different kind of event which would use the Plaza, and have the same standing, but it would not be an arts & crafts fair. She said when United Way took the Pancake Breakfast over, it interpreted the ordinance to mean it could run an arts & crafts fair in conjunction with the Pancake Breakfast. There has been a lot of talk in the community by people who feel it has moved away from a community event, and the booths for the arts & crafts were impinging on the space for the tables where people ate their pancakes. She doesn't think this is the intent of what was passed by the Council several years ago. The question then becomes, what is this going to be, and if it



will be another arts & crafts fair, or if it will be a different kind of event which offers merchandise for sale, but merchandise which is related specifically to the event, such as T-Shirts saying "Pride on the Plaza."

Chair Heldmeyer believes it is necessary to make it very clear as to what these events will be. She said as the changes to the Plaza Vendor Ordinance move through, that could be an opportunity to discuss some of the existing events to see if they are going in the direction intended or wanted by the Council.

VOTE: The motion was approved unanimously on a voice vote.

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**END OF CONSENT CALENDAR DISCUSSION**

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**DISCUSSION**

**28. REQUEST FOR APPROVAL OF AGREEMENT – SANTA FE FIREFIGHTERS ASSOCIATION; INTERNATIONAL ASSOCIATION OF FIREFIGHTERS. (ASSISTANT FIRE CHIEF RANDY NEUMANN)**

Mr. Buller said this was a long process, and thanked the negotiating teams on both sides for a job well done.

Assistant Chief Randy Neumann said everyone worked very hard this year to get a contract which was agreeable to both sides and ratified by all of the union membership. He said some significant changes were made to the contract, and reviewed those changes which are detailed in his Memorandum of October 30, 2007, to this Committee.

Councilor Ortiz noted that most of the changes made don't justify the length of time it took to get this contract negotiated, and asked Chief Neumann to respond.

Chief Neumann said the most significant change is that they worked on a two year financial package in the contract this year.

Councilor Ortiz asked how many firefighters will lose out with a step increase because of the deletion of Firefighter III position.

Chief Neumann said no one will lose out on a step increase, and 12-15 Firefighters will receive that step increase earlier in their career, noting they moved the entire Firefighter I level up to what was the old Firefighter II level.

Councilor Ortiz understands, and he is in support of that. However, for those at Firefighter II level, will those people be at that level that much longer because there isn't a Firefighter III position to go into.

Chief Neumann said the Firefighter II level will be the level out of which people will be promoted to become either an engineer, rescue tech, captain, or one of the other classifications. He said currently there are 5-6 people classified as Firefighter III, stressing that this is only an estimate.

Councilor Ortiz asked what happens to them when we delete their classification.

Chief Neumann said the Firefighter III will be moved to Firefighter II, but will lose no money for doing that, and will just fit into the new area, reiterating that Firefighter III was removed from all of the language in the contract.

Councilor Ortiz said then the range of the Firefighter II will encompass the Firefighter III, and these people aren't being moved to engineer or something else.

Chief Neumann said this is correct. They have to test for those positions, and must move into those positions through the promotion process in either the new or current contracts.

Responding to Councilor Ortiz, Chief Neumann said he doesn't think he can say that the other union contracts are more generous, but he would say they are comparable.

Councilor Ortiz said then you are saying the reason for the delay is because of the length of the contract – that was the hangup.

Chief Neumann said this was one of the many hangups. He said to come to an agreement on the base rate adjustment was the major hangup, along with the length of time with the contract.

Responding to Councilor Calvert, Chief Neumann said he is seeing the base rate adjustment of 5%, and the contract has always contained a 1% step longevity step increase. The management and union agreed to a 5% base rate adjustment, plus the 1% longevity.

Councilor Calvert said, "So, it's 5 and 3 plus 1 and 1."

Chief Neuman said this is correct.

Councilor Calvert said it is his understanding that the 5% is not retroactive.

Chief Neumann said this is correct, and the increase will go into effect immediately following the Council's approval.

Councilor Calvert asked if he was trying to effect a 5% base rate adjustment, or if he saying it's 5% from this time on – are we doing mathematics to make it come out that way for the whole year – or if it will just be for this partial year.

Chief Neumann said the 5% goes into effect once the City Council approves the contract, which is what both sides agreed to. There will be no retroactive pay. The 1% longevity has been occurring as it is

regularly scheduled to do, so none of that has been withheld from the Firefighters to this point.

Councilor Calvert said then they won't get a true 5% as they would have it if it had been done at the beginning of the contract year.

Chief Neumann said this point was discussed repeatedly in negotiations. He believes the City Council approved a 4% increase in our budget cycle.

Councilor Calvert said the Council modified that to come out to 4% per year over three years, but it isn't 4% per year, saying, "We had already not held to that particular position, so it was an average, I guess you would say. Obviously, it doesn't work that way, because if you get more in the first year, it doesn't come out to the same 12% as if you did it for each year."

Chief Neumann said this is correct.

Councilor Calvert said then there was no trying to adjust this increase at this point to make it come out to a full 5%, and we gave up on that, and asked if this is what he is hearing.

Chief Neumann said, "Yes sir."

Councilor Calvert said it about time to start renegotiating for the next year, other than for economic issues.

Chief Neumann said he believes the resolution stated October 15<sup>th</sup>.

Chair Heldmeyer asked Mr. Jenkins if this agreement has been ratified by the membership.

David Jenkins, President of Local 2059, said yes, it is what was negotiated and what was ratified by the union.

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz to approve this request.

VOTE: The motion was approved unanimously on a voice vote.

30. **REQUEST FOR APPROVAL OF A JOINT RESOLUTION REPEALING CITY OF SANTA FE RESOLUTION NO. 2007-71 AND SANTA FE SCHOOL BOARD OF EDUCATION RESOLUTION NO. 090-407; AND ADOPTING A NEW RESOLUTION DIRECTING CITY AND PUBLIC SCHOOL STAFF TO PREPARE RECOMMENDATIONS FOR THE GOVERNING BODY AND THE BOARD OF EDUCATION REGARDING HOUSING ON SCHOOL PROPERTY FOR POLICE OFFICERS; AND DIRECTING STAFF TO EXAMINE AND MAKE RECOMMENDATIONS FOR THE PLACEMENT OF A POLICE OFFICER ON EACH OF OUR HIGH SCHOOL CAMPUSES (COUNCILORS DOMINGUEZ AND TRUJILLO). (KATHY McCORMICK AND POLICE CHIEF ERIC JOHNSON). (Postponed at Finance Committee meeting of October 15, 2007).**

MOTION: Councilor Dominguez moved, seconded by Councilor Ortiz, to approve this request.

DISCUSSION: Councilor Ortiz said this was heard at Public Works.

Councilor Calvert said it was postponed at Public Works.

Chair Heldmeyer said it is on the Discussion Agenda because we didn't have an action sheet on it.

Councilor Calvert said his first question is in regard to form, noting this is a resolution directing City and Public School staff to prepare recommendations for the Governing Body and the Board of Education. It directs the City and the School Board to repeal a relatively recent resolution. He believes we need to be specific about who is repealing what, commenting that we can't repeal the Board's Resolution, nor can the Board repeal the City's.

Councilor Dominguez said originally, the City approved the Resolution without the second part which speaks to recommendations for the placement of a police officer on each of our High School campuses. It was then approved by the Board of Education with an amendment to include the recommendation about police officers, noting that was Chairman Montaño's amendment. He said this action would repeal the original resolution, and bring back the Resolution which contained the amendment, which is before this Committee this evening.

Chair Heldmeyer asked Councilor Dominguez why he doesn't introduce a second resolution, leaving the resolutions in place about housing and let staff move forward on those, and then introduce a second resolution regarding having Police Officers on the high school campuses. She said both Resolutions have schools and police in them, but they are somewhat different issues, and the fiscal impacts will be separate.

Councilor Dominguez said this is the reason he introduced the resolution at the Joint meeting which addresses that specific item and issue. He said it can be done a number of ways, but he was taking direction from staff about how to move it forward without a lot of discussion.

Councilor Calvert reiterated his concerns that we need to be specific that the Board is repealing its resolution, we are repealing ours, and enacting this new one. He said the real issue is with regard to having police officers on the high school campuses. He said although Chairman Montaño was requesting this, he [Montaño] was sort of disagreeing with another Board member at the Joint meeting saying the Board need is decreasing because their statistics show the Schools have had fewer calls to the Police Department in the last two years than previously. He we have an increased need as evidenced by our crime statistics and burglary rate, and we have discussed a possible solution to use retired officers. He noted Chief Johnson said to do place Police Officers on the campuses, he would need to add staff. He said we already have unfilled vacancies, and he doesn't see how adding positions would help that situation, and we would just have two more unfilled positions.

Councilor Dominguez said the Resolution introduced on Tuesday gave direction to the School District to start looking at ways to commission its own force, noting every time a Police Officer goes to Santa Fe High, it is a police officer not responding to other crimes in the community. He said this was an attempt to

compromise and recognize that both organizations have this need, but also have budget constraints.

Councilor Calvert understood Chairman Montaña to say if they had their own force, it would be a force of two, because the Schools also have budget constraints.

Councilor Dominguez said part of the intent is to come up with justification and to determine what constitutes a force, and it may be that it is too small for the District size, and it may be just enough for the Police Department to maintain.

Councilor Calvert understands this is just to study these things, and we aren't committing to these things at this point.

Chair Heldmeyer said it's not clear, because the fiscal impact talks about what it would cost to have two officers in the schools, noting it is about \$150,000 for a full year.

Councilor Dominguez said what he learned is he shouldn't have brought anything forward until the Board took action, and there would be less confusion. He said the Resolution introduced Tuesday speaks specifically to the second part of this resolution.

Councilor Calvert asked if this resolution commits us to do anything, or if it is just to study the possibility of doing these things.

Councilor Dominguez said the intent is to study and to at least have that discussion. He said the Police Chief has spoke about how there is an interest in police officers having homes on school properties.

Councilor Calvert has no problem with that aspect.

Chair Heldmeyer said we don't have to do everything they do exactly the way they do it, and vice versa.

Councilor Dominguez said when Chairman Montaña asked to include this in the resolution, he told him he believed it would be worthy to have that discussion. He believes the Board needs to hear where our Police Department stands in terms of staffing and our budget constraints. We need to hear whether the Board feels it has this need, and how effective it may be.

Councilor Calvert noted the statistics presented by Board member Ruiz to justify this, showed a decrease over the past two years, but we have to look at that in terms of our crime rate. He has no problem in looking at this issue, but he has come to a conclusion as to the priority and the greater need.

Chair Heldmeyer said it seems to be more than to have a police officer or not have one. She said we need to consider the public safety needs in the schools and how those are best addressed. The reality is that the schools are a 9-month operation, and if we were to use police officers, how would that work – would they be there 9 months and do something else the other 3 months, and does that make using retired officers who don't want to work a full year a better solution. There are many ways to address the issue. She suggested in the Resolution where it says "placing police officers on our high school campuses," it

might make more sense to say, "placing public safety officers on our high school campuses," and then look at various ways to do that.

Councilor Dominguez said he doesn't want to delay the opportunity for affordable housing for police officers, and doesn't know how to strip that out.

Chair Heldmeyer suggested leaving the original Resolution in place, noting that has been adopted, and staff has been given that direction. Then take the other things out and put those in a separate resolution which already has been introduced.

THE MOTION WAS WITHDRAWN BY THE MAKER.

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, to postpone this item to the second Finance Committee meeting in November, and in the interim that Resolution No. 2007-71 stands, and staff can be working on that.

VOTE: The motion was approved unanimously on a voice vote.

**31. REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT – PLAN, DESIGN AND IMPROVE LAND AND FACILITIES LOCATED ADJACENT TO PROPOSED TRAIN STOPS WITHIN THE CITY OF SANTA FE; ATKIN, OLSHIN, SCHADE ARCHITECTS (RFP NO. 07/50/P). (KATHERINE MORTIMER). Postponed at Finance Committee meeting of October 1, 2007 and October 15, 2007.)**

Councilor Ortiz said there is a meeting of the MPO on Thursday. He said there has been some movement by the County on its proposal for station location. Independent of the MPO, there have been a series of public meetings, and asked where we stand regarding the viability of awarding this contract first, given some of the movement which has happened in the past two weeks.

Katherine Mortimer said the vast majority of this contract deals with the portion of the Rail Runner between I-25 and the DOT station. There is one task, early on, which talks about holding a public meeting on station locations on I-25, and the only piece which could be affected by that.

Councilor Ortiz said we have been told unequivocally by the State that it can afford only one more station. The County has told use it wants that station at #599 and I-25. However, he pointed out that the MPO hasn't determined or decided how to proceed with the process for selecting the one additional station which the State would fund. He asked why we would spend up to \$200,000 on a process which might be rendered moot as early as Thursday.

Ms. Mortimer said we have been given different information about the number of stations the State could afford.

Councilor Ortiz said he, as well as the public, have been told by Secretary Faught and the Deputy

secretary that the State can afford one additional station, in addition to the two the State have planned, and that's it. He asked, given that the MPO hasn't developed a process to choose a station location, why the City would embark on this particular study without that knowledge.

Ms. Mortimer said the policy with which people have been marching forward, is that this is the public process by which to get information and ideas from the community with regard to station location, and not only for the Rail Runner, but for future local service stations, and where a transit oriented development [TOD] might be. A TOD could be packaged such that the State might not pay for the physical station, and could be folded in as part of a TOD.

Councilor Ortiz said he has seen, and has been impressed by, larger cities which have done the multi-modal, transit oriented development with stations for commuter rails. He doesn't understand how this particular study can be helpful to determining in the short and midterm what our needs will be with regard to the Rail Runner project coming in as early as the end of 2008. He said if funds are available, the State would be willing to do it, these funds could be used to get on top of the design and construction the State is using, to hire an independent engineer. He doesn't know if this can be done, and asked staff if these funds could be applied to such a purpose.

Jon Bulthuis said he looked at that after the last meeting, and there is not a lot of wiggle room in terms of expanding the scope beyond siting the station location as a TOD and exploring that within the City limits, noting the \$200,000 is fairly explicit to that purpose. There was discussion at the last meeting about the State providing some engineering services to which he has referred, but he is unsure of the status. He said they are still working through that possibility at the DOT level. He said staff's review of the legislation awarding these funds does restrict its use for fairly narrow purposes. There will be some engineering work involved as different locations are discussed as possible TOD sites, but not in terms of extracating that engineering work throughout the whole corridor.

Chair Heldmeyer said the limitations on the Rail Runner aren't just the funds the State has to pay for another station. Most recently, she has heard the State can afford to pay for only one more station. She said at the last public meeting she attended, the State was pushing the #599 station as the one it felt would have the most usage. In addition, the Rail Runner can't stop many places in Santa Fe and make the kind of time necessary for a commuter train from Albuquerque, or people will decide to drive.

Chair Heldmeyer asked if there are other possibilities for other trains – a commuter train from Eldorado, for example. All of these have been discussed. However, with more trains on the track, there will be a coordination problem. She said currently t no entity has been chosen to decide who goes on which track at which time. She wants to know who will decide when the Rail Runner uses the track, when the commuter train uses the track and so forth. She asked if some of the \$200,000 could be used for that kind of engineering planning to meet this need which hasn't been addressed.

Mr. Bulthuis said, with regard to the number of stops, the Rail Runner needs to be competitive with the travel time by automobile, and the more stops, the less attractive the alternative will be. The DOT, most recently, said it has funds for one more station within the corridor in the Santa Fe Area. However, it also has given us "a nod" that if the City and the County governing bodies site another station, and can get

local funds or developer money, and if it's spaced appropriately, there is room for another station in the corridor. That is a longer term planning issue which won't happen when the Rail Runner is launched in November 2008.

Mr. Bulthuis said clearly, there is an opportunity for local service in some future time where that need would be established and the local jurisdictions or private developers would come up with the funds to put that project in place with federal funds assisting. He said there is a TOD study looking at 5-10 years out, and is the intent of the study Ms. Mortimer is working on.

Chair Heldmeyer asked if we could use some of this money to address the coordination of the use of the tracks.

Mr. Bulthuis said it can, and he sees that as part of the technical analysis with regard to the location of sites and how they would function in relationship to other services which we know will happen on that corridor.

Councilor Ortiz said tonight a proposed information session is being held for one of the proposed sites which is being done by a private developer who is identified within the potential services. He asked, given the other, many concerns on this project, if this is the most effective, efficient use of funds, when we have been told that money is tight on this project. Do we want to spend \$200,000 for a private consultant to take the pulse of the community on a "what if" scenario that we can't say will take place within the next 5-10 years. He feels these funds could be used on other more pressing issues. He won't support this particular award of this particular contract. If this is unsuccessful, he would hope we could go back to the State or the sponsors of this legislation, commenting he thought this was a grant from the State.

Mr. Bulthuis said it is a grant from State, but it came through the legislative process.

Councilor Ortiz said then this wasn't the result of a particular request by a particular legislator and was part of a package of legislation.

Ms. Mortimer said it was a package of money which was for station design and location, and this is the piece which came to Santa Fe. The idea is for planning and to hear the community's ideas and concerns in advance of what might be proposed by a developer.

Councilor Ortiz said this is exactly the issue we're facing with the whole Rail Runner project – we are not in a proactive stance on this project, and we did not have the ability to address all of these concerns before the project came forward. We are in a process of trying to play catch-up with the State who is developing the Rail Runner project. We find ourselves in this position because our MPO staff, serving on the MPO Technical Coordinating Committee, has been working to get this project on line, without necessarily looking at some of the concerns which the public and this Governing Body have always had, and we just now are getting to express. He reiterated, given that there are other more pressing needs, and there are limited resources for this project, he believes it would be a better use of this allocation to get some agreement from the State that these funds could be used for other purposes, even if it means sending the funds back. He is not in support of the award of this contract.



Responding to Councilor Calvert, Councilor Ortiz said the private developer owns the pumice plant site, and is holding an information meeting this evening to get information on that as a potential location. If we approve this contract, we would be putting forward development and planning services for private property on the proposed feasibility of these sites which we have been told will come from local resources and not from the State. He said the State has told us that the MPO has the planning authority to determine the third station location which the State will fund on this project. However, the MPO hasn't determined that process, nor how to consider the County approval for a site in advance of the discussion we haven't had. He reiterated his concerns about using these funds for this purpose.

Councilor Calvert said then there is only going to be one more location, and "if that's it, that's it."

Councilor Ortiz said the NM DOT expressed its support for the recommendation which came from County staff and the Technical Coordinating Committee, our MPO staff, which recommended the #599 site. He said NM DOT said, while not endorsing this, it ultimately is your decision and we agree with the decision which came from your own Committee's process.

Councilor Calvert asked, if that site is selected, if that is the last station which the State will fund.

Patricio Guerrerortiz, Deputy Secretary for Programs and Infrastructure, said the DOT is saying as part of this project, there is room for one more station.

Councilor Calvert asked if the site at #599 is selected if that will be the third station.

Mr. Guerrerortiz said, "From our perspective, if the MPO selects that, that's what we'll do."

Councilor Calvert thought he heard the Secretary say time is short, and if we are going to pick more stations, we needed to do so by the end of the year, but he didn't hear that there was only one more station which the State would fund. Councilor Calvert asked if the grant could be used for the City to coordinate with the State on the Cerrillos station, as well as any private development beyond the scope of their project which we might entertain at that site.

Mr. Bulthuis said his recollection is that the grant is restricted to the city limits.

Councilor Calvert said he is speaking of the State's main hub at Cerrillos and Cordova, or the Railyard site, and if the funds could be used for coordination of our activities at that site.

Mr. Bulthuis said it could, but staff would need to look at the scope of services in the RFP, reexamine that, and reissue it if it isn't included in the current scope.

Ms. Mortimer said it is very much on the edge, and the language was very specific about the areas, but it did include the DOT and the Railyard, but staff felt the Railyard was fairly well planned and the DOT's station was being planned by the State, and we had very little input.

Councilor Calvert would like to look at the area around it and coordinate it with other transit.

Ms. Mortimer believes it would be within the scope of the grant, but we would have to renegotiate.

Councilor Calvert suggested, rather than denying this request, we get clarification on this particular issue, and get a better sense from the State if there is the possibility of a reallocation of these funds.

MOTION: Councilor Calvert moved, seconded by Councilor Ortiz, to postpone this item and ask staff to explore the reallocation possibility, and whether the contract or RFP has flexibility or we would need to redo that, and that it come back to this Committee at the November 19<sup>th</sup> meeting.

CLARIFICATION OF MOTION: **Councilor Ortiz** asked, as part of the clarification, if he is talking about the proposed stop at Cerrillos as well as the proposed stop at the Railyard. **Councilor Calvert** said it could, but our need might be greater at the State facility. **Councilor Ortiz** said if staff can get that clarification he will support the motion.

VOTE: The motion was approved unanimously on a voice vote.

**32. REQUEST FOR APPROVAL OF A RESOLUTION RESCINDING RESOLUTION 2003-70 AND REQUIRING THE STATE OF NEW MEXICO TO ANSWER, ADDRESS AND MITIGATE CERTAIN ISSUES INVOLVING THE "RAILRUNNER" COMMUTER RAIL PROJECT (COUNCILORS ORTIZ AND HELDMEYER). (JON BULTHUIS)**

Councilor Ortiz said he is pleased that the State has taken our concerns seriously, and has conducted meetings to get information to the public, which addresses the first two components of what the Resolution is attempting to do.

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, for purposes of discussion, to approve the Resolution, with the following amendments:

Page 1, Line 11: "Rescinding Refining Resolution...."

Page 2, after the last Whereas on line 7, add the following:

"WHEREAS, in an attempt to elicit public concerns, the City held a public meeting for affected residents of the Rail Runner project on October 23, 2007; and

WHEREAS, the Department of Transportation has attempted to answer and address those concerns by holding two sessions for the public on October 30, 2007; and

WHEREAS, the Metropolitan Planning Organization is considering addressing (perhaps through a public process), the issue of station identification and location; and

WHEREAS, the Department of Transportation commits to holding subsequent public information meetings with the City on this project."

Page 2, line 9, "...the Governing Body hereby ~~rescinds~~ reaffirms Resolution No. 2003-70, with the following provisos:

Page 2, line 14, "...that the Railrunner project is ~~not~~ allowed to enter into the City limits ~~nor will it be~~ and is allowed to cross any City-owned right-of-way until when: (a) the following issues and potentially negative impacts are answered and addressed and mitigated as a result of the Railrunner project in a series of public meetings:

Page 2, after (6), "(b) that the State commits itself to reasonable and adequate mitigation efforts for the above issues necessitated by the Railrunner project.

Page 2, after (6)(b), add, "BE IT FURTHER RESOLVED that the State continue to limit and curtail the negative effects of nighttime construction."

DISCUSSION: Councilor Ortiz said Secretary Faught said she was willing to continue to hold public meetings, and asked Mr. Guerrerortiz to comment.

Mr. Guerrerortiz said it is understanding that the NM DOT will continue holding information meetings to the public.

Councilor Ortiz said in the past two weeks, the contractor on this project has had to work at night, and after a couple of "midnight madness sessions," the State has been diligent and forthright in working with its contractor to mitigate the effects, although it hasn't been completely curtailed, they are doing a good job.

Councilor Ortiz believes we are getting closer to a place where he believes the public's issues will be addressed and handled by this project. He thanked the State for its commitment to getting information to the public, noting his constituents have been receiving mailed notices. He said some of the issues still need further work, but he believes the public hearing process will resolve those.

Councilor Calvert said the changes to the Resolution, as he understands them, are that we're not rescinding the previous Resolution, and we are reaffirming, and that the DOT will be allowed to do these things if it addresses these impacts.

Councilor Ortiz said it is that the issues are addressed and answered, as well as that reasonable and adequate mitigation efforts for all of those issues are dealt with.

Councilor Calvert asked who would decide what is "reasonable and adequate."

Councilor Ortiz said he presumes the State DOT. He said, given the commitment by the State, the State is committed to a public process so those issues can be addressed and answered. To the extent that mitigation efforts come about, it is hoped those are done in a collaborative way. He hasn't gotten a sense from anyone – the Cabinet Secretary down to the Project manager — that they are in the place of saying that any issue that is brought up is off the table. He said they are still willing to talk about those issues,

and the reason he decided that a revamping of the Resolution would be reflective of the progress being made by the City and the State.

Councilor Calvert said then Councilor Ortiz is satisfied with the State deciding what is reasonable mitigation.

Councilor Ortiz said he can't say that. It says that the State commits itself to reasonable and adequate mitigation efforts for the above issues necessitated by the Railrunner project.

Councilor Calvert asked again, who will decide what is reasonable and adequate.

Councilor Ortiz said he hopes it is done in a collaborative way, and if not, we could come up with other language. However, he doesn't believe we are at that stage at this time. If he had gotten that sense, he would have phrased the Resolution differently. He said he wants to honor that spirit of collaboration by changing the tone of the Resolution, because that is what he's heard from the State. He asked Mr. Guerrerortiz if that needs to be defined.

Mr. Guerrerortiz said he would like to reiterate what Councilor Ortiz is saying by citing two examples. The first is, besides the prompt attention the DOT is paying to all concerns raised by citizens, they are "playing a difficult balancing act." He noted the prompt attention to nighttime construction complaints, noting the contractor is working at night to avoid impacting the daytime operations of I-25 between Albuquerque and Santa Fe. He said they also are trying to implement other things, such as a hotline people can call to report anything out of the ordinary or unreasonable. He believes we all can agree that we can continue to talk about the reasonableness of the measures, and they are willing to talk anytime and pay attention to those. This is the commitment he said he can make this evening.

Councilor Calvert asked if there is a possibility that something other than potable water could be used during construction activities.

Mr. Guerrerortiz said he is very sensitive to that issue, and he is working on it. He said one of the issues is that the City cannot supply sufficient effluent during daytime hours, so it would be necessary to work after hours to get the needed effluent. He said the City has the capacity to produce the effluent, but not to dispense it. He is meeting tomorrow with Costy to look at ways to resolve this issue. He is talking with other suppliers of treated effluent which he believes is appropriate. He said the supplier of potable water isn't the only one they have contacted. He appreciates the feedback. He said there isn't always time to respond to the concerns of the public, and they absolutely have to have the water to control the dust at this point.

Councilor Calvert said, although the potable water supply currently being used doesn't come from the City, to the public that doesn't make any difference, commenting that perception and reality aren't always the same, and asked that they do everything possible to mitigate the use of potable water.

**Friendly amendment:** Councilor Ortiz proposed to amend the Be it further Resolved in the Resolution on page 2, "BE IT FURTHER RESOLVED, that the State continue to limit and curtail the negative effects of

nighttime construction, and that the State DOT continue to pursue the use of non-potable water for the construction of its project." The amendment was friendly to the second.

CONTINUATION OF DISCUSSION: Ms. Price asked if language should be added where it says "Be it further resolved that the State commits" such as "understands that." Councilor Ortiz said he will work with her in this regard.

VOTE: The motion, as amended, was approved on a voice vote. [Absent Councilor Dominguez]

**33. REQUEST FOR APPROVAL OF LOGO FOR THE NEW SANTA FE GOVERNMENT (SFG) CHANNEL. (SEVASTIAN GURULE)**

Sevastian Gurule presented information from his memorandum of November 1, 2007, and requested the Finance Committee to approve the logo to be presented to the City Council for final approval.

Mr. Gurule said in the packet there is a photograph of the shield with alteration of the actual symbols.

The Committee discussed the proposed logo, and the various color shades, and would like it to be as close to the actual colors in the City shield as possible.

Mr. Gurule said he will work to do this.

It was the consensus among the Committee to direct Mr. Gurule to "Go forth and lighten the colors."

Mr. Gurule asked if this needs to come back to the Committee.

Chair Heldmeyer said no, but if it can't be done, he might want to poll the members.

Mr. Gurule will work on the revision and will e-mail the revised logo.

**34. REQUEST FOR APPROVAL OF DONATION FOR MESSAGING SIGN CENTER AT GCCC; LOS ALAMOS NATIONAL BANK. (LIZ ROYBAL)**

Liz Roybal, GC Division Director, presented information to the Committee from her Memorandum of October 27, 2007.

Councilor Ortiz said he had concerns about this sign through the process. However, staff came back and were sensitive to the community, put the sign within the City's parameters, and are not asking for a variance. He said he would like to publicly state his thanks for the generosity of LANB for its willingness

to "come forward and to step up" for this particular sign. He is pleased that staff has been thorough and thoughtful in developing this revised sign.

Councilor Calvert clarified that the sign does meet all requirements, and no variances or waivers are needed or required.

Ms. Roybal said this is correct, and no variances or waivers are needed or required, noting that Lou Baker has been exceptionally helpful in helping this to go through the process.

MOTION: Councilor Dominguez moved, seconded by Councilor Calvert to approve this request.

VOTE: The motion was approved unanimously on a voice vote.

**35. REQUEST FOR APPROVAL OF THE MAYOR'S BLUE RIBBON TASK FORCE PLAN TO END HOMELESSNESS IN SANTA FE. (KATHY McCORMICK)**

Kathy McCormick presented information to the Committee from the information which is contained in the Committee packet.

Councilor Calvert said approval of the Plan doesn't include the Financial Plan which still is evolving. He said in the Memo on page 5, four things were listed, and he was trying to relate those to the Plan, and it appears that some of those would "make some of these things that are in here not necessary, I guess, or the funding or part of the finding, maybe not necessary or not totally necessary."

Hank Hughes, New Mexico Coalition to End Homelessness, said this is correct, the Santa Fe Housing Trust is willing to take on the development, which means that the necessity for funding to start up a non-profit to do this is much less or goes away.

Councilor Calvert said, "It sounds like the Human Service Department providing some vouchers would make part of the funding for these vouchers be not as much or something in the original plan."

Mr. Hughes said in the original plan, they were counting on the State coming up with those vouchers, so they still would want to talk about City-funded vouchers to cover other people who aren't covered by the State vouchers.

Responding to Councilor Calvert, Ms. McCormick said it depends on how the position is structured and where it "lives." She said it could be a position in Community Services and do other things there. It also could be in Housing, depending on the thrust of the program. She said, in the housing arena, it probably will be a person who really understands housing finance and development and such, and would not have to be devoted 100% to just working on homeless initiatives, and this becomes another component of that work.

Chair Heldmeyer asked, if we approve this, are we giving these initiatives priority over the money for affordable housing which is in the Affordable Housing Trust Fund.

Ms. McCormick said no. In adopting or endorsing this Plan, the next step is to take a broader housing plan through another process, so this becomes an adjunct to that plan. As part of the overall Affordable Housing plan, staff will evaluate other revenue sources, funds, housing initiatives and then come back to the Council with a plan with funding source recommendations for that, and a series of priorities. It doesn't mean that the Homeless Plan would be a priority for the Housing Trust Fund. She said the Council has to set the priorities for the Housing Trust Fund every two years under the Ordinance, and she will be back in February with a plan and a series of recommendations on those priorities.

Chair Heldmeyer noted the nonprofit to be formed. She said she has seen a proliferation of starting non-profits when there are non-profits [NGOs] in the community which could do this. This has been a problem in Economic Development and other areas of Community Services, and we have two absolutely parallel non-profits. She is unsure, given that at least one NGO has expressed an interest in partnering with the non-profit, she is unsure why we need another non-profit to deal with these issues.

Ms. McCormick said the intention is that it is to be more an advisory or guiding board, and not an intention to form one. She said it may say "complete non-profit" which was where they were leaning when they developed the plan before this partnership was struck with the Santa Fe Community Housing Trust. It is the intent of the group which worked on the plan to ensure that there are folks that come together and can talk about housing issues and how to finance it, but more importantly, case management services which have to be brought to bear to ensure the homeless have adequate services and support. She said it would work more closely with the development entity or group which is building and managing units.

Chair Heldmeyer said she has problems with the Housing Trust being the development entity, because that isn't their area of expertise either.

Ms. McCormick said an RFP was issued to provide services for the Santa Fe Homes Program. As part of that, \$50,000 was included for housing innovation. The Housing Trust came back and requested dollars to do a feasibility assessment to become a developer of tax credit housing. During the interview, they were saying they had become very interested in this as a result of the needs assessment, because they see tax credit developments which are not providing housing that is very, very, very affordable, and they want to examine that as part of their mission and maybe move out of the arena of developing owner occupied housing. She will be bringing forward an agreement at the next meeting to do that feasibility analysis. She said it was through this that they began working with the Coalition on Homelessness to begin discussing rental housing development.

Chair Heldmeyer said we also have the Community Housing Authority getting into development as well, with which it needs help. We have the City getting into developing in a different way, presumably with partners. She said it is really difficult to see where all these strands are going, and what it means to say that the City supports this, when it sounds like what this plan is and what it will do is really in flux right now.

Ms. McCormick said when she first came to Santa Fe, one of the things that stuck her was that

there was not strong a strong nonprofit developer of affordable rental housing in the community, and most was being developed by the private sector at the top of the range you can get in tax credit programs. She said the Housing Authority is just beginning to evaluate what its role can be in rental housing. It was clear in working on the housing plan that there was not a strong development partner for rental housing. Civic housing will be totally absorbed in doing its project on West Alameda.

Chair Heldmeyer said they have said they are not going to be absorbed with that, and have offered other things they will be doing earlier and in parallel, in terms of developing more in the Luisa/Alta Vista area in developing 30 units of senior housing.

Ms. McCormick said they have experience in both. Her concern, and the reason they looked at this new nonprofit development organization which would oversee the development operations, was who would do that in Santa Fe. When the Housing Trust stepped forward and said this is an area in which they are interested, she was really pleased, because it is an organization which is known to us in the community who, she believes, can attract the talent it needs to do rental housing.

Chair Heldmeyer said as a philosophical concept this is fine. However, as a reality-based concept, it is already in flux and parts of it are changing and different. She said then she sees the amounts, and Ms. McCormick tells her that would be the ideal amount, but haven't yet worked it out. Her fear is, in passing this, that it won't be viewed the same by the people who are putting this forward. It will be, "You passed this and, therefore you must come up with X amount of money, because that is what is in this plan."

Ms. McCormick understands the concern, saying she is looking for, not so much the money, but the general endorsement of the concept, which signifies a commitment to the community working toward ending homelessness in Santa Fe, and the City believes the Housing First model is the appropriate model toward which the City should be orienting its resources – toward ending homelessness in Santa Fe. She asked if there is a way to look at the Plan and endorse those broader concepts and be instructed to come back with the overall housing plan in February 2008 and look at the resource needs and timing it out.

Chair Heldmeyer said she would be more comfortable with a Resolution stating what Ms. McCormick just said. She said the people who want to believe that this is set in concrete will believe that it's set in concrete and will complain. She said she has seen that happen with many different things not necessarily in this area, where peoples' beliefs and what is passed by Council morphs into peoples' beliefs no matter what the Council has voted for and what its beliefs are about how more "squishy" it is.

Ms. McCormick said she understands. She said they are excited by some of the things which have changed since the plan was first developed – to have someone come forward and say they will work with the City on the rental housing and doing the Housing First model and those things. She said the additional dollars which were allocated for vouchers showed her that the plan is in alignment with some of the opportunities which are available in the community. She also understands how it could be misinterpreted that it is evolving and changing and squishy.

Chair Heldmeyer said if what she wants is a philosophical policy approval, why not come forward



with a resolution which basically states that and states as may be exemplified in the five-year plan.

Mr. Hughes said that is what they are looking for, so however the City wants to provide that will be fine with them. He said those of use who have been coming to these meetings understand very well that you are providing a conceptual endorsement of our efforts, which is what they want, and any specific actions by the City would be considered later. He doesn't know the appropriate way to do this, and if this Committee wants to do it by Resolution, they would be happy with that.

Councilor Ortiz said he supported this in concept at Public Works because there was no fiscal impact. However, recent developments of which he has become aware, lead to the concern expressed by the Chair on adopting a plan, even in concept. He understands one of the particular components of this plan is for year-round overflow shelter, particularly for St. Elizabeth's shelter, and in particular for men. He only recently became aware of the Initial programming to use school property that sits on City property for just that kind of purpose. He said he needs more details, but if that information is correct, he said he can say unequivocally that kind of support for that kind of project needs to go through the proper kinds of City processes.

Councilor Ortiz said to adopt this plan, which talks about support for that, could give the impression to people, mistakenly, that the City has somehow endorsed a concept or idea which then takes on practical results, especially when those have severe limitations for any particular use. He said the school property on City right-of-way should have been moved from that space months ago. He said there is now some idea that we will use that property for another facility, and that gives him more concern about adopting this plan, even in concept.

Councilor Ortiz said if the City adopts this in concept, it is making a policy statement that the City agrees with all of the principles in this plan, including for emergency/overflow shelter. He asked how giving this policy concept approval will affect a particular agreement when/if it comes forward, and how does it address the use of City facilities in support of a policy when the advocates of this policy will say, "You voted for it Councilor, and how can you now be against it." He wants more details on year-round overflow for St. Elizabeth's Shelter before he is willing to vote for this particular plan. Although he supported it at Public Works, information came to him after that approval which gives him pause.

Ms. McCormick said she thinks he is accurate, in adopting this plan, there are broad concepts – the year-round overflow shelter is an important component of the overall plan. She said the second series of things which she believes are important, is if we're proposing to do a year-round overflow shelter and that is brought to the City, it has to go through the neighborhood process, the Committee process, to get into the nitty gritty of the details. This is where she feels somewhat at a loss. She said, "On one hand we want to provide a plan that's conceptually strong, which I think this one is, and if we try to provide too many details, then we're hamstrung in the future if we can't bring forward specific projects or programs that really go with all of those details. So, I'm looking for a way that there is a plan that can be conceptually adopted, but there is also that comfort level that some of these program, which will be contentious in the overflow shelter, is definitely a contentious project, is one that's fraught with a lot of questions that need to be answered, can come through the proper channels and not put Councilors in that precarious position."

Councilor Ortiz said, speaking just to the overflow, he doesn't know if it is even feasible, given the agreement the City has with the School District for the use of City facilities and the extensions that we gave. There was no mention at all that the City gave any other authority to the School District for use of City property for any other purpose, except for the use of a charter school. The fact that proposal has even come around, to him, begs the question of who is actually behind that particular proposal. He said the school itself was fraught with controversy and had to go through the City process. He said it will be a non-starter if the School District is proposing to use its facilities on property it already should have abandoned and removed from City property for a completely different use. He said this "non-starterness" about that particular project, leads him to believe we need specificity for each of these proposals. He said if there is an impact, he wants those details up front. He said he was derelict when he heard this Plan in not asking about an actual impact – that it was just in concept, and staff just wanted an affirmation, and there wouldn't be a fiscal impact. He sees now the potential for an actual impact as the result of passing this plan, and he doesn't know how to address it, but these are his concerns.

Councilor Dominguez asked how important this Plan is to obtaining some of the grant funding which is being sought – is it necessary.

Mr. Hughes said the plans are strongly encouraged by the US Department of Housing and Urban Development (HUD) which are the ones who approached him and the Mayor about doing a plan for Santa Fe, so we get extra points on our federal applications. He doesn't believe it would jeopardize "us" in the short term if we don't have a plan, but it looks like we are behind other cities and it is somewhat important for that.

Councilor Dominguez said Ms. McCormick said the details of this Plan or the funding would come via the overall housing plan.

Ms. McCormick said this is her thinking at this point.

Councilor Dominguez asked how the School District's proposal, or whoever is bringing it forward, fits into that. It seems to him that we are placing the "cart before horse," if there is already endorsement for that site and that particular use, but we don't have the overall housing plan yet.

Ms. McCormick said the challenge right now is that we are entering the winter. She said the staff was unaware of this plan to use these facilities until she heard about it at the Joint Meeting. She said we are entering the winter months, and there is no overflow shelter in place. She said the people working in this arena saw that as an opportunity to do something as a stopgap measure for the coming winter, and she believes this is the driving force to get this in place.

Councilor Dominguez said he is curious to find out how that was placed on the agenda. He is hearing staff tell him they were unaware of that plan. He said when he spoke to some of the School District Administrators they told him they were unaware as well.

Ms. McCormick said she is unable to "shed light on that."

MOTION: Councilor Calvert moved, seconded by Councilor Dominguez for purposes of discussion, to approve the plan in concept, with the added condition that any specific elements of the plan would still have to go through the City Committee process for approval.

DISCUSSION: Councilor Dominguez said he doesn't know how this addresses the concern that there could be a perception that others might see this as planning, along the lines of Councilor Ortiz's concerns. He likes the idea of having a Resolution which makes the statement, instead of having some of these components included in it.

FRIENDLY AMENDMENT: Chair Heldmeyer asked Councilor Calvert if he would be willing to modify his motion so that staff would come back to the next Finance Committee, as well as Public Works, with a Resolution discussing the adoption of the Plan and what it meant, so that the Resolution would be the explanation for what the Council is doing, and the plan would be an appendix to the Resolution.

DISCUSSION ON THE FRIENDLY AMENDMENT: Councilor Calvert said Ms. McCormick mentioned that winter is almost upon us, and asked if there is urgency to adopt this plan.

Ms. McCormick said she doesn't believe there is an urgency to adopt this Plan because winter is coming.

Mr. Hughes said St. Elizabeth's has made temporary provisions for its overflow shelter using the Salvation Army, and a building which was donated in Tesuque for everybody else, and they are busing people to Tesuque. The old ATC site is of interest to them because it is closer. He said for the time being it is okay, so it is not an emergency.

COUNCILOR CALVERT WITHDREW HIS MOTION.

MOTION: Councilor Ortiz moved, seconded by Councilor Dominguez, that staff is directed to take this plan back and to prepare a Resolution, which could be introduced at the next City Council meeting, which talks about the effect of the adoption of this Plan as appendix to the Resolution, discusses what processes needs to happen in order to implement whatever parts of this Plan which is attached as an appendix to the Resolution, and a Resolution which talks about some of the practical effects of the particular Plan.

DISCUSSION: Responding to Councilor Calvert, Councilor Ortiz said it is one thing to have a resolution and we adopt the plan which is attached as an appendix – what does that mean and what kind of process would have to happen for implementation, and what are the practical results of this Plan. We have heard we get more points on a HUD application. We don't know what other kinds of effects we will have if we adopt the Plan. He wants to hear what other kinds of positive effects would come from adopting this Plan. He said we have heard there isn't a request for financial impacts as a result of this plan, but we still continue to see potential final impacts in the Plan. He wants to know how it interplays with the Housing Plan, because we haven't talked about that because we haven't seen the Housing Plan. He asked if there are non-fiscal impacts of adopting the plan. He said it is one thing to say that the winter is approaching, and another to say that they knew winter was approaching in April. He said the question becomes whether they were waiting to have this adopted so it would therefore streamline that agreement or not. He said that is a non-fiscal impact. He asked what other City resources could be impacted by the adoption of this plan.

Chair Heldmeyer said that kind of question is a question which is in an FIR, so it might be appropriate to fill out an FIR for this, talking about potential impacts, not absolute impacts, fiscal or otherwise, because that is what an FIR does. She said sometimes there are absolute impacts, but in other cases it is more squishy.

Councilor Ortiz said we only get an FIR if there is a Resolution.

Chair Heldmeyer said it has been going through the process as if it's a resolution, just like a general plan would go through as if it were a resolution, so it's a hybrid being at this point, and attaching a resolution to it puts it more clearly in our process and makes it clear with regard to what staff is required to bring when this comes back. Because it is like a general plan, being treated as if it's a resolution, she doesn't believe that what we're asking for this evening needs to be handed out at Council, it can just come back to the Finance Committee or Public Works or any other Committee.

VOTE: The motion was approved unanimously on a voice vote.

**29. INFORMATION REGARDING MANAGEMENT AND CONFIDENTIAL EMPLOYEE PAY INCREASES. (KRISTINE KUEBLI)**  
**A. REQUEST FOR APPROVAL OF COST OF LIVING INCREASE FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES.**

A copy of a Substitute Resolution dated 10/29/07, amending the City of Santa Fe Personnel Rules and Regulations, is incorporated herewith to these minutes as Exhibit "1."

Chair Heldmeyer said there is no discussion in the FIR with regard to the source of funds to do this.

Mr. Buller said during budget approval, for this class of employees there was a sliding scale raise of 2-4% depending on the employee's salary. Shortly after the completion of the budget process, there was some discussion about whether or not we could come back with a proposal which would relate salary increases for this class of employees to merit. This discussion came up again at the conclusion of the AFSCME negotiations. It has come back to him a time or two without specifics. He said he looked at ways this can be done, and he believes it needs to be tied to the PADP process. He said over the summer, the first state of the PADP process was completed. He said PADPs are completed in two steps. The first step is to establish the goals for a particular employee and to weigh those goals. The second step is to evaluate the employees against those job descriptions and goals, which is done six months later. He said in December we are coming to the time to do the second phase of the PADP. However, in talking with Ms. Kuebli, they felt it would be useful to do this, before completing the second phase to have PADP training for supervisors so everyone is on board on the best ways to use that PADP for training, management and a variety of purposes in addition to evaluation. The training will be done in December or early January, and hope to conclude that in late January or early February 2008.

Mr. Buller said Ms. Kuebli didn't come on board until mid-summer, so he didn't have her help in

some of these areas. When she came on board, he asked her to help him determine what to do, given that the PADPs wouldn't be completed until early 2008, or as late as February. He said they decided to put a proposal before the Council, but in the meantime felt it was the fair thing to do to ask for a cost of living raise for these employees so they wouldn't go backward during this fiscal year because we wouldn't be able to put a merit based proposal before you. He said he asked Ms. Kuebli to look at ways to do this, and those are in the Memorandum, and he asked Ms. Kuebli to give a presentation in this regard.

Ms. Kuebli said an important piece of merit, is that before we embark on a merit system, we must have the job classifications analyzed, do market research to determine the appropriate salary for positions. She said the City Council has approved funds for a contracted consulting agency to do this analysis. She said this has to be tied to a strong job description and a performance evaluation.

Ms. Kuebli requested consideration for a cost of living adjustment (COLA). She said there are 239 affected employees, 10% of which are division and department directors. The rest of the employees are people who have worked very hard at the City, noting 60% of the employees in this group have over ten years with the City, half of which have over twenty years with the City. She spoke about the positions in this group – Water Resources Coordinator, Fleet Supervisor, Solid Waste Supervisor, Library Section Manager, and such.

Chair Heldmeyer noted that some of the 239 employees received a raise between 2-4% and some received nothing.

Ms. Kuebli said 25% received nothing, approximately 50% received 2% and the remaining 25% received 4%.

Ms. Kuebli shared a story about an employee who rose through the ranks from a driver to being in charge of the entire Meals on Wheels Program, noting he is passionate about his job, is 60 years old and going to retiring soon. She would like to afford the opportunity to give those who got 0% or 2% with at least a cost of living. The 4% employees wouldn't be affected. For those who received 2%, she would like to give an increase of .81%, and an increase of 2.81% to those who received 0%.

Ms. Kuebli said the approved budget includes a 4% raise based on all non-bargaining unit employees receiving 4%.

Councilor Calvert said even though 4% was included, we have already negotiated above that with certain segments of employees, and he doesn't know how that plays out. He would like to know the total bottom line cost. He doesn't necessarily have a problem with this, but he needs that information to make a decision.

Ms. Kuebli said she doesn't have the breakdown for the costs. She said the Fire proposal which was approved by this Committee is a 6% increase. She said while that is a prorated amount, the cost really is about a 2.5% increase which is less than budget. The important difference is that those individuals in the Fire Department next year will now move 6% higher than those who got 0%, and those

who got 2% and those who got 4%. She said the other important thing is that they have also locked in, appropriately, through negotiations an increase for the second year.

Councilor Calvert said he understands, and reiterated that he doesn't necessarily disagree with the concept, but it is difficult for him to make a decision when he doesn't know the total cost.

Councilor Ortiz said he disagrees with the concept from a number of different levels. He said because of the delay in negotiations, it is correct to say that the effective rate the Firefighters received wasn't close to 5%, it is more 2.8 or 2.9%. He said the City gets the benefit of the salary savings from the budgeted amount, and the Firefighters won't receive the raise until almost mid-year. He said these amounts are budgeted at 4% for non-union employees, and Ms. Kuebli is asking to zero out those accounts. He said, as a former negotiator, he can say the union probably left money on the table, and could have negotiated for the funds which were saved on non-union employees, to be placed on the table for additional increases.

Councilor Ortiz said not to have the total amounts included, and to give a story about these people getting more as a percentage than others, is like comparing without comparing what the equivalent salaries are. He said to the extent that those people are not in unions, and are classified or confidential employees, the Council looked at this with some sympathy and said they get the full 4% cost of living. He said this analysis at this level, already took place. He said you are now saying that there were inequities and some of these people should have received more. He wants to see the gross amounts as well as the individual line items for those people to see what their average hourly base is.

Councilor Ortiz said one of the things he likes about merit pay, if done correctly with a minimum of favoritism, is that it rewards employees who do a good job, and those who aren't, won't get the commiserate rate. He said he knows some employees who do a tremendous amount of work, do it well and without flinching, and they get the same pay increase as someone who is coasting by. He said we have this at City Hall, and some of us have been willing to make those cuts, but we haven't had success in bringing that to the table. However, it won't fly to just say we need to do this across the board, and not to have the numbers, gross or in detail. He believes this request should be brought forward properly at mid-year budget, and we should see the expected savings. He said if the Council decides to spend those funds for these employees it can do so, but if not, then we need to allocate these funds to other places. He said it may have been reallocated by staff because of the needs within the organization.

Chair Heldmeyer said Ms. Kuebli is asking for retroactive pay which is an issue.

Mr. Buller said there was a miscommunication, and he wouldn't ask for retroactive, because of all the problems with that.

Chair Heldmeyer said when we looked at this before, we requested and received, a listing of these 239 people by position, not by name, but by job description and salary. She said she and Councilor Ortiz worked on numbers, based on different mathematical assumptions about where the appropriate raises should be done. She said another issue is that some of the people in the top 25% have been with the City substantially less than a year. She understands the push, but she agrees with Councilor Ortiz that this is a

discussion for mid-year budget adjustment, which needs to be accompanied by a lot more information and a whole lot more numbers. She hopes the merit based pay works. She said Ms. Kuebli needs to present hard data and good information to this Committee in January, commenting that she will have time to develop this by mid-year. She said previously, they went through the entire list position-by-position, pay grade-by-pay grade to determine how we wanted to do this.

Councilor Dominguez said one of the interesting things about this is that some of the people who are making \$10 an hour are making \$10 an hour because they don't do a good job, and some of the people who move up who do a good job, end up in these positions where they aren't able to get some of these increases. He does want to have the data to be able to see the impacts, and agrees that discussion should happen at mid-budget.

Ms. Kuebli noted the discussion this evening is that people have been Firefighters for years, and they finally move up the ranks and take management positions, and their salaries increase over time due to union increases as well as the increase given at promotion. For example, some Firefighters are earning in excess of that earned by managers, and Police Sergeants are making more than Lieutenants.

Councilor Ortiz said this is because of compulsory overtime because there aren't enough resources nor personnel, which always has been the case, noting Sergeants are paid overtime because they are covered under a contract and the Lieutenants and Captains are not and do not get overtime.

Councilor Heldmeyer said some Sergeants opt for a lot of overtime.

Councilor Ortiz said the City gave a raise to Lieutenants and Captains as part of the emergency which was raised last year by the former City Manager, so this issue has been raised and addressed.

Councilor Dominguez said he hopes the City doesn't get into the same situation as the Schools Districts, which is that Principals would rather be teachers because teachers make more money than Principals. The result is that we get people in leadership roles with very little experience because it's almost not worth moving up and taking on the challenges of those positions.

Chair Heldmeyer said these are factual discussions. She said if departments feel they are being unduly affected by this, then it is your job and their job to bring that information to our attention, and to discuss it from a policy perspective.

Ms. Kuebli said she agrees with Councilor Ortiz that a number of the police sergeants are able to do compensatory time, but she was specifically referring to dollar-for-dollar. She said there are Sergeants now making more than Lieutenants, as well as Engineering Supervisors making less than Engineers, and she has heard exactly those statements from employees. She said a Wastewater Operator Supervisor position has been vacant for three years, because nobody wants to move up.

Chair Heldmeyer said these are factual policy decisions, and if these are the arguments she wants to make, that is what she should have brought before this Committee.

Ms. Kuebli said she hopes the Committee appreciates her position, because she has to represent all the employees. She said she is hearing from the Committee that they would like her to look specifically at compression and where people are compressed.

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, to postpone this item to the discussion of the mid-year budget, with direction to provide aggregate numbers on the amount of employees they are proposing, to provide specific numbers with regard to all of the positions proposed for this raise, and that on a case by case basis by department and division, staff will bring forward the necessary information to determine whether or not there are inequities in pay for these non-union employees which need to be adjusted for forwarding the interest of City Government.

DISCUSSION: Councilor Ortiz said with this direction, the Committee can consider all of these issues with the right data, noting mid-year comes in January, and she can develop the particular cases which need to be highlighted for reasons other than the general idea. He recalled that the 0.24% increase was broken by the Mayor on a tie vote. He said she can bring forward her initial position with more data, as well as any particular facts. If there are cases where we need to make a decision based on the interest of City government, we can consider that. However, we can also consider it in light of the actual data.

Chair Heldmeyer suggested, since Ms. Kuebli wasn't here, she might want to read the minutes of that meeting. She said the alternate proposal offered even less in raises than what was passed.

VOTE: The motion was approved unanimously on a voice vote.

### **36. OTHER FINANCIAL INFORMATION**

Chair Heldmeyer asked when the City will get the next Lodger's Tax.

[Ms. Raveling's response here was inaudible because her microphone was turned off.]

Chair Heldmeyer asked about the discrepancy between the data on room rates and the fact that the Lodger's Tax was decreasing.

Ms. Raveling said she met with the auditor, Barraclough & Associates, to discuss that, and that information will be forthcoming.

Chair Heldmeyer asked about the audit on Santa Fe Estates.

Mr. Buller said an informational item has been scheduled for the next Finance Committee. He said Mr. Mares has been working on an internal audit and he will be bringing Bruce Geiss and someone else to the meeting.

Chair Heldmeyer thought there was going to be an external audit, noting she met with the people who were going to do it.



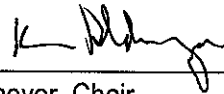
Mr. Buller said his recollection is that Mr. Mares was going to do a sample, and thinks he did a three-month sample, and he was going to make a presentation and see if it makes sense to do an external audit. However, how the Chair wants to do this agenda item is fine with him.

**37. MATTERS FROM THE COMMITTEE**

There were no matters from the Committee.


**38. ADJOURNMENT**

There being no further business to come before the Committee, and the Committee having completed its Agenda, the meeting was adjourned at 8:30 p.m.

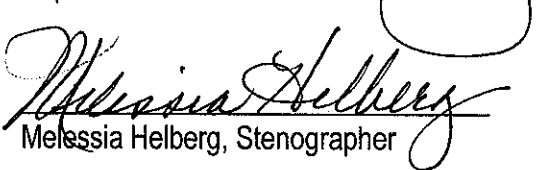


Karen Heldmeyer, Chair

Reviewed by:



Kathryn L. Raveling, Director  
Department of Finance



Melissa Helberg, Stenographer